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13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA**

15 PENELOPE HOUSTON,
16 Plaintiff,
17 vs.
18 DAVID FERGUSON,
19 Defendant.

Case No.: C 10-01881 JSW

**STIPULATION RE: FURTHER
CONTINUANCE OF INITIAL CASE
MANAGEMENT CONFERENCE;
[PROPOSED] ORDER**

From:

Date: October 22, 2010
Time: 1:30 p.m.
Courtroom: 11

To:

Date: December 10, 2010
Time: 1:30 p.m.
Courtroom: 11

26 **Honorable Judge Jeffrey S. White, Presiding**
27 (E-Filing)

1 Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 6 of the Civil Local
2 Rules of the United States District Court, Northern District of California, Plaintiff Penelope Houston
3 ("Plaintiff"), on the one hand, and Defendant David Ferguson ("Defendant"), on the other hand, hereby
4 stipulate as follows:

5 WHEREAS, on July 1, 2010, the Court ordered a Case Management Conference set for August
6 6, 2010 at 1:30 p.m.; and

7 WHEREAS, on July 13, 2010, pursuant to stipulation of the parties, the Court ordered the Case
8 Management Conference set for August 6, 2010 be continued to September 17, 2010 at 1:30 p.m., with
9 all related dates adjusted accordingly; and

10 WHEREAS, on August 23, 2010, Defendant filed a motion to dismiss pursuant to Rules 9 and
11 12(b)(6) of the Federal Rules of Civil Procedure, to be heard on October 15, 2010; and

12 WHEREAS, on August 25, 2010, the Clerk issued a notice continuing the Case Management
13 Conference set for September 17, 2010 to October 22, 2010 at 1:30 p.m., with the joint case
14 management statement due on or before October 15, 2010; and

15 WHEREAS, the parties would like to attempt to settle this case at the mediation before
16 expending further resources on the case, but require additional time to arrange mediation; and

17 WHEREAS, the parties agree that they therefore jointly request that the Case Management
18 Conference currently scheduled for October 22, 2010 at 1:30 p.m. be rescheduled for Friday,
19 December 10, 2010 at 1:30 p.m., and that the joint case management statement be due on or before
20 December 3, 2010; and

21 WHEREAS, the requested time modifications would have no substantial effect on the schedule
22 for this case; and

23 WHEREAS, pursuant to Civil Local Rule 6-1(b), a Court order is required to give effect to this
24 stipulation; and

25 WHEREAS, the parties agree that Plaintiff shall give notice of any order hereon.

26 NOW THEREFORE, Plaintiff and Defendant, by and through their respective undersigned
27 counsel, hereby stipulate as follows:

28 1.0 The parties jointly request that the Case Management Conference currently scheduled

1 for Friday, October 22, 2010 at 1:30 p.m. be rescheduled for Friday, December 10, 2010
2 at 1:30 p.m., and that the joint case management statement be due on or before
3 December 3, 2010.

4 SO STIPULATED.

5 LAW OFFICE OF ALAN KORN

6 Dated: October 13, 2010 By: /s/ Alan Michael Korn
7 Alan Michael Korn
8 Attorneys for Plaintiff Penelope Houston

9 IDELL & SEITEL LLP

10 Dated: October 13, 2010 By: /s/ Richard J. Idell
11 Richard J. Idell
12 Attorneys for Defendant David Ferguson

13
14 **PROPOSED** ORDER

15 Pursuant to the foregoing Stipulation, IT IS HEREBY ORDERED that the Case Management
16 Conference currently scheduled for Friday, October 22, 2010 at 1:30 p.m. is hereby rescheduled for
17 Friday, December 10, 2010 at 1:30 p.m. The joint case management statement shall be due on or
18 before December 3, 2010.

19
20 Dated: October 14, 2010 By: 
21 Hon. Jeffrey S. White
22 Judge of the United States District Court
23 Northern District of California
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